

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

VERONICA PRIDE

PLAINTIFF

VERSUS

CIVIL ACTION NO. 4:04CV47-P-B

FORD MOTOR COMPANY

DEFENDANT

REPORT AND RECOMMENDATIONS

BEFORE THE COURT is Defendant Ford Motor Company's unopposed Motion [doc. 35] to dismiss for failure to prosecute and for failure to obey an Order of the Court. The matter has been referred to the undersigned United States Magistrate Judge for issuance of a report and recommendations. Having considered the motion and the record herein, the undersigned is of the opinion that the motion to dismiss should be granted for the following reasons.

By Order [doc. 32] dated October 27, 2005, the Court granted plaintiff's counsel's motion for leave to withdraw and allowed plaintiff time until November 14, 2005, to obtain substitute counsel or advise the Court in writing of her intention to proceed without counsel. Later, on November 10, 2005, plaintiff filed a letter Motion [doc. 33] requesting an additional 60 days to obtain counsel. By Order [doc. 34] dated November 14, 2005, the Court granted plaintiff's motion for additional time to obtain counsel and gave her until December 12, 2005, to comply with the Court's previous Order. Plaintiff was warned that her failure to comply with the Court's Order could lead to dismissal of her case for failure to prosecute and for failure to obey an order of the Court.

It has been more than a month since plaintiff was required to complete the action

specified by this Court's November 14th Order, and more than the 60 days requested, and plaintiff has yet to take the appropriate action or seek an extension. Based on this, it is my recommendation that defendant's Motion to dismiss be granted and that this case be dismissed with prejudice for plaintiff's failure to prosecute and for her failure to obey an Order of the Court pursuant to FED.R.CIV.P. 41(b).

The parties are referred to Local Rule 72.2(D) for the applicable procedure in the event any party desires to file objections to the findings and recommendations herein contained. The parties are warned that any such objections are required to be in writing and must be filed within ten days of this date. Failure to timely file written objections to the proposed findings, conclusions and recommendations contained in this report will bar an aggrieved party, except upon grounds of plain error, from attacking on appeal unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Automobile Association*, 79 F.3d 1415 (5th Cir. 1996).

Respectfully submitted this, the 23rd day of January, 2006.

/s/ Eugene M. Bogen
U. S. MAGISTRATE JUDGE